

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: October 11, 2005
Public Hearing: November 1, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00087, to allow for a Planned Residential Development on Loma Linda Unit Four, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 11500 Block of Edgemere. Applicant: JNC Land Development Co. ZON05-00087 (District 5)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*******REQUIRED AUTHORIZATION*******

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00087, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON LOMA LINDA UNIT FOUR, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, JNC Land Development Co. has applied for a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow for a planned residential development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **R-5 (Residential)** District:

Loma Linda Unit Four, El Paso, El Paso County, Texas

2. That a planned residential development is authorized by Special Permit in **R-5 (Residential)** districts under Section 20.14.040 of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under Section 20.14.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-5 (Residential)** district regulations and subject to the approved Site Development Plan, signed

Doc #

by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00079** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

ATTEST:

John Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Cindy J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Planning, Research & Development
Department

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

JNC Land Development Co., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-5 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this day of _____, 2005.

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

[illegible]

This instrument is acknowledged before me on this _____ day of _____, 2005, by _____, as Applicant.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

October 4, 2005

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00087

The City Plan Commission (CPC), on September 22, 2005, voted **5 - 0** to recommend **APPROVAL** of this special permit request for a Planned Residential Development, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

Attachment: Site Plan, Location Map.

STAFF REPORT

Special Use Permit #: ZON05-00087

Property Owner(s): JNC Land Development Co.

Applicant(s): JNC Development Co.

Representative(s): Conde, Inc.

Legal Description: Loma Linda Subdivision, Unit Four

Location: Plautus Ct. and Jan De Ross Place

Representative District: # 5

Area: 7.089 Acres

Zoning: R-5 (Residential)

Existing Use: Residential Development

Proposed Use: To allow variable side setback – 3’/7’, 10’ min. btw. structures

Recognized Neighborhood Associations Contacted: Eastside Civic Association

Surrounding Land Uses:

North -	M-1 (Light Manufacturing) / Industrial
South -	R-3 (Residential) / School
East -	R-3A/c/sp (Residential/condition/special permit) / Single-family residential
West-	M-1 (Light Industrial) / Industrial/vacant

Year 2025 Designation: Industrial (East Planning Area)

**CITY PLAN COMMISSION HEARING, September 22, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM # 1

Special Use Permit: ZON05-00087

General Information:

The applicant is requesting a special permit to allow for to allow alternating side setback , 3'7' with a minimum of 10' between structures, for a single-family residential development. The property is currently zoned R-5 (Residential). The site is currently vacant and is 7.089 acres in size. The proposed site plan shows 40 residential lots located on the site. Access is proposed via Edgemere Blvd. There are no zoning conditions currently imposed on this property.

Information to the Commission:

No calls or letters in support or opposition to this application have been received.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for Industrial land uses.

R-5 (Residential) zoning permits a Planned Residential Development to allow variable side setback by special permit.

The Commission must determine the following:

Will the special permit to allow variable side setback protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Division Notes:

R-5 Residential district requires 5ft side setback.

Engineering Department, Development Division Notes:

1. Drainage plans must be approved by the City Engineer.*
2. Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone **C**, Panel **480214 0037 B**, dated **Oct. 15, 1992**.

*** This requirement will be applied at the time of development.**

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments.

El Paso Water Utilities Notes:

The Developer entered into an agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct the proposed water and sanitary sewer mains along Jan De Ross Place and Plautus Court to provide service to the subdivision. The Developer finalized construction of the water and sanitary sewer main extensions on May 17, 2005. The above referred water and sanitary sewer mains are available for permanent service once El Paso Water Utilities-Public Service Board issues a Letter of Final Acceptance of the facilities.

Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. A site plan, a utility plan, grading and drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The owner/developer is responsible for the costs of any necessary on-site and off-site relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU does not object to this request.

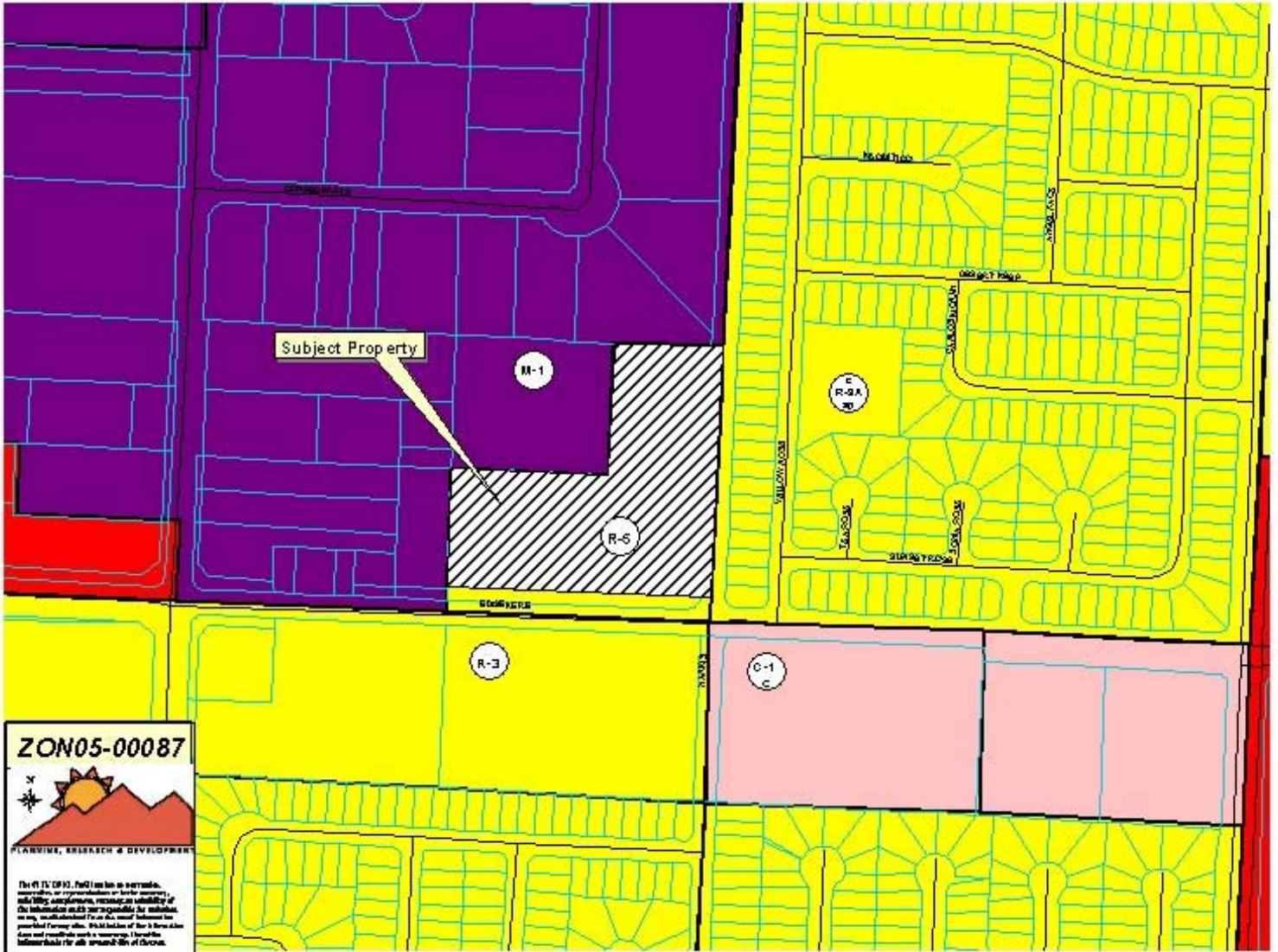
Planning, Research & Development Department Notes:

Recommend approval of this special permit request.

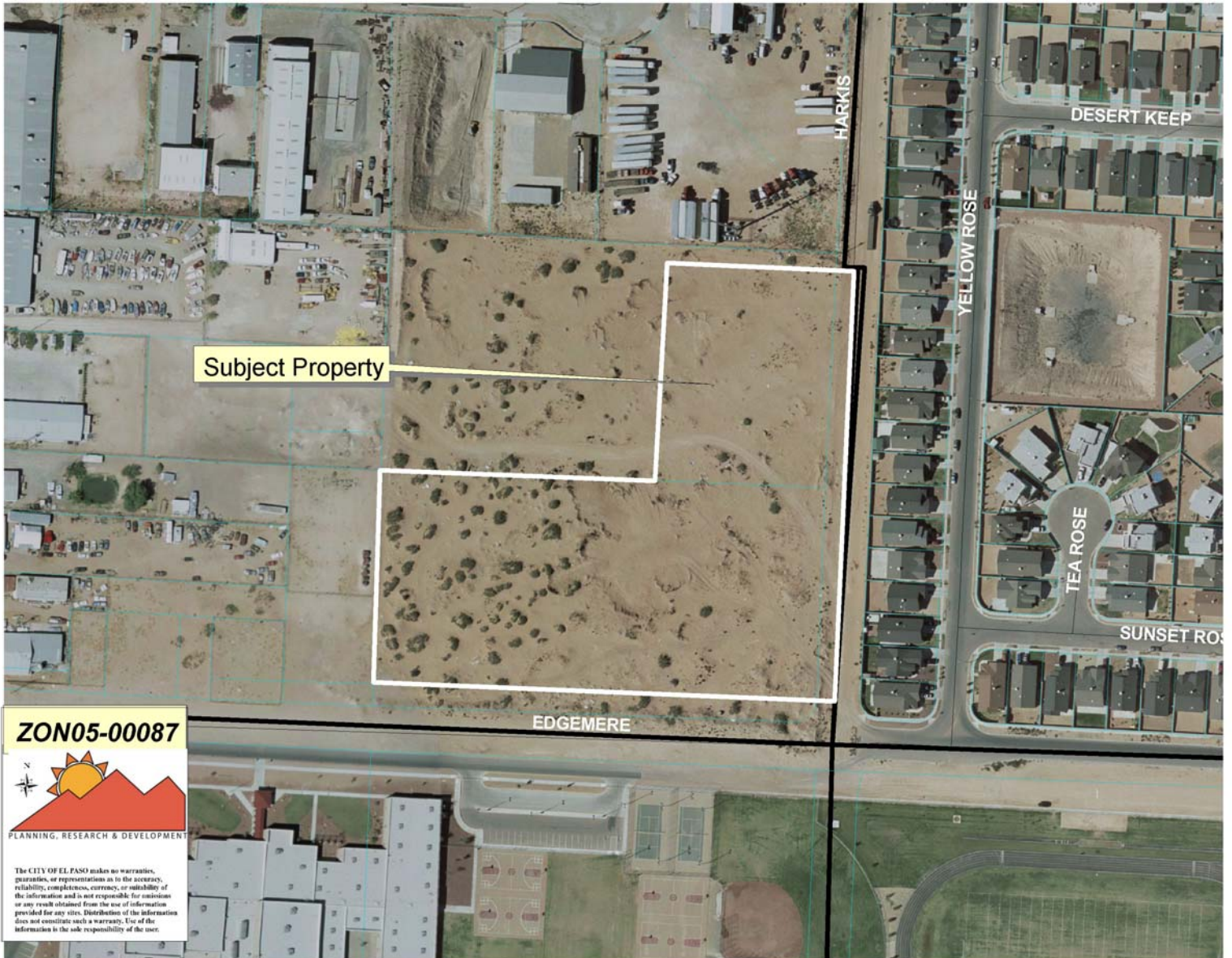
ATTACHMENT: Site Plan; Location Map.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



GENERALIZED PLOT

